



State of Louisiana Animal Welfare Commission

Office of the Governor

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Meeting Minutes

January 9, 2010

I. Call to order

Gary Balsamo called to order the regular meeting of the Louisiana Animal Welfare Commission at 9:30 AM on January 9, 2010, in room 173, Bienville State Office Building, Baton Rouge, LA.

II. Roll call

The following persons were present: Ms. Margaret George (humane organization representative), Ms. Mary Lee Oliphant-Wood (commercial breeder representative), Dr. Philip Dupont (LVMA representative), Dr. Gary Balsamo (Governor's Office of Community Programs representative), Mr. Pinckney Wood (humane organization representative), Ms. Joelle Rupert (humane organization representative), Dr. Brian Melius (small animal practice), Ms. Susan Schneider (Louisiana QH Association representative)

The following members were absent: Lt. Rhett Trahan (law enforcement representative), Mr. Hilton Cole (Animal control representative), Dr. Samuel Burke (at-large) Mr. J.T. Lane (DHH representative), Dr. Amy Grayson (LVMA representative)

The Louisiana Thoroughbred Breeders' Association slot remains vacant.

III. Approval of minutes from last meeting

The minutes from the last meeting were read. Mr. Pinckney Wood pointed out that the election results were reported erroneously. The minutes, specifically section V.a, "Election of Officers", were corrected to read as follows:

"The three nominees were all then unanimously elected to the following positions:

Chair/Secretary: Dr. Gary Balsamo

Vice Chair: Mr. Pinckney Wood

Treasurer: Ms. Mary Lee Oliphant-Wood."

The minutes were then approved by vote of the Commission as read. Motion made by Dr. Melius, seconded by Dr. Dupont.

IV. Open issues

- a) Pinckney Wood reported from the Committee to Create a Model Animal Cruelty Law. The commission provided assistance on three bills in the most recent legislative session that were

intended to change and strengthen animal cruelty laws. LAWC opposed changing the penalty for simple cruelty to a felony requiring jury trial, taking into consideration potential unintended consequences such as hesitance of jurisdictions to bring these charges against perpetrators, due to perceived difficulties in negotiating the court system. LAWC did support further defining the crimes of aggravated and simple cruelty and adding intentional poisoning to the crime of aggravated cruelty.

The commission asked Mr. Wood to draft further improvements to the cruelty laws and to submit his drafts to Ms. Rupert and Mr. Hilton Cole for review and editing. The primary feeling of commission members is that state law is not specific in defining animal cruelty. Mr. Wood stated that state law is usually more loosely defined and municipal and parish ordinances are more specific. It was the consensus among commission members that the commission addresses the specificity of the law in the "definitions" portion of the statute. Mr. Wood agreed that the committee would work on this legislation in the manner suggested above.

- b) Mr. Wood then commented on issues the commission may address in 2010. Mr. Wood commented that there are several positions he plans to promote as an individual in the 2010 legislative session. Dr. Melius suggested that the commission be appraised of the issues and be given an opportunity to support the issues, if support was agreed upon by members. Dr. Melius stated that the goal of the commission should be to actively support measures that improve state laws dealing with animal cruelty. The subject of the lack of specificity in defining animal cruelty was again addressed. Ms. Rupert stated that the problem really existed at the local level. Mr. Wood again stated the Committee to Create a Model Animal Cruelty law would address these deficiencies in the "definitions" portion of the law. By consensus the commission also instructed Mr. Wood that the committee will now become known as the Committee on Animal Cruelty Laws.
- c) The commission then discussed position statements on euthanasia procedures and tethering. Ms. Rupert related that the use of carbon monoxide (CO) chambers in some jurisdictions was often a cruel method of euthanasia. She explained that the Vermilion Parish shelter recently employed the use of a chamber that was not sealed correctly, resulting in several animals requiring two cycles to be euthanized, which is clearly inhumane. Ms. Rupert suggested that the commission adopt a policy statement that would strongly urge outlawing the use of CO chambers for euthanasia. A discussion ensued on the need of chambers for overly aggressive animals. Dr. Melius volunteered to author a policy statement on the use of CO chambers and the commission's preference for intravenous injectable euthanasia. He will include the consideration of worker safety. Dr. Melius will attempt to have the statement available for commission review prior to the next meeting.
A discussion then took place concerning tethering. A general opinion surfaced among the membership that tethering may be required in certain circumstances. The commission should draft an explicit policy statement specifying situations in which tethering is acceptable, clearly explaining humane requirements for tethering. Ms. George and Dr. Dupont agreed to work on this policy statement.
- d) The report on creation of a Louisiana Animal Welfare Commission (LAWC) website was then made by the Chair. He had received no response from the Governor's office on utilization of its website. Dr. Balsamo also related that Mr. J.T. Lane, the new representative from DHH had volunteered to spearhead the movement for creation of the site. Mr. Wood added that funding (LAWC's own funds which have not yet been freed by the Division of Administration) and volunteer workers are available from several entities. Dr. Balsamo added that LAWC may find someone to take on the project and the LAWC may be able to supply minimal funding, such as the purchase of website software, to make the website a

reality. The commission agreed to ask Mr. Lane to head a Committee on Creation of an LAWC Website.

Ms. George then provided the Commission with several format examples of an LAWC newsletter. The beauty of the newsletter is that the initial subscribers could be gleaned from the email list currently being constructed for the purpose of collecting statistics from shelters. A link could also be included on the LAWC website whereby new subscribers could submit an email address. No printing expenses would be required. The Chair also suggested that the newsletter be sent to the media and to the executive and legislative branches of state government. Ms. George commented that she was ready to create the newsletter but needed people to commit to authoring regular sections of the proposed journal. The Chair suggested that each issue carry a brief biography of one member. The Chair suggested the members send suggestions to be included to Ms. George and that the commission decides on format at the next regular meeting of the commission. The commission decided that a semi-annual production would be desirable initially.

V. New business

- a) The Chairman spoke of a need to identify persons to serve on an "on-call" investigative team to investigate incidents involving alleged animal cruelty throughout the state. Pinckney Wood offered to consult with retired Judge Sol Gothard in an attempt to identify 20 people in the state that may be able to assist the commission in these type endeavors. Dr. Melius added that we could administer a questionnaire to such persons asking if they would be willing to assist in investigations within 100 miles of their homes. Of course commission members would also be asked to participate. Dr. Balsamo added that the commission is presently experiencing problems with the state police appointee to the commission. Lt. Rhett Trahan has not attended meeting and has not responded to commission communications. Lt. Trahan might serve as another source to identify retired law enforcement personnel, district attorneys or judges who might be interested in assisting. Mr. Wood suggested that the Chair write a letter to State Police Superintendent, Mike Edmondson, requesting a meeting with either the Superintendent or another high ranking member of State Police to discuss not only the plans to identify investigation teams, but to serve in an advisory capacity to the commission. The Chairman agreed to write the letter. The commission agreed to ask Mr. Wood to contact Judge Gothard with the purpose of gathering the names of 20 individuals that may be interested in serving on an investigation team. Eventually the commission would also like to collect twenty names with police backgrounds. Perhaps the state police could assist with this goal.
- b) Dr. Balsamo then reported that he and the Infectious Disease Epidemiology staff will produce an annual report summarizing the findings from the 2009 animal shelter inspections. This report would then be circulated among the members for approval. The release of this report should be carried out in conjunction with a statewide press release announcing the report and its release to the executive and legislative branches of state government.
- c) Dr. Balsamo asked the commission if all members were comfortable with the inspection report approval process. There were no objections to continuing the process. The Infectious Disease Epidemiology Section staff completes a draft report, which is then sent to the entire commission and to the shelter for review. After corrections are made based on the initial review, the final draft is sent again to the entire commission and one member of the commission is selected to sign the final inspection report representing the commission. Dr. Balsamo, Mr. Hilton Cole and Mr. Pinckney Wood have objected to signing the reports for various reasons (Dr. Balsamo due to his involvement with Infectious Disease Epidemiology

and the inspection, Mr. Cole due to his desire not to be perceived to be in judgment of other animal control organizations and Mr. Wood due to a disagreement with some of the sanitary requirements for public buildings).

- d) Mr. Wood reminded the commission that it had previously voted approval on developing an associated Louisiana Animal Welfare Non-Profit Foundation intended to support the actions and goals of LAWC. The present members voiced enthusiastic support for the creation of the foundation. Mr. Wood informed the commission that the articles of incorporation will be created according to the stipulations in the previously passed motion. The articles of incorporation will also grant the right to each member of the commission to veto membership of any individual in the foundation.

- e) Mr. Wood then introduced the discussion of creating a mission statement for the commission to be displayed on the commission web site, once the site becomes active. Mr. Wood explained that the actions of the commission at present are restricted to dealing with dogs and cats, however there are a number of animal species that are not regulated by the Louisiana Department of Agriculture and Forestry or the Louisiana Department of Wildlife and Fisheries. Therefore, in Mr. Wood's opinion, this mission statement should include a statement of intention to broaden the scope of the commission.

Mr. Wood also stated that "mission statement" may not be the correct term. Perhaps composing a list of the things that the commission is presently doing or is capable of doing at present, especially those powers granted to the commission in the law, is the first step. Then the commission needs a statement of concrete steps toward more specified duties, such as licensing of breeders and pet shops. Dr. Melius suggested that we collect ideas from the membership on identifying the goals of the commission. Subsequently the commission can work to codify these roles in law. Mr. Wood informed the commission that the duties of the commission can be found at www.legis.state.us, the specific statute being RS 3:2364.

- f) The commission discussed freeing up LAWC funds to conduct an ad campaign throughout the state, concentrating on population centers. The idea is to address animal cruelty and pet overpopulation. There was a fairly intense discussion as to the effectiveness of such a campaign. Dr. Balsamo suggested that we discuss this issue with Mr. J.T. Lane and work with him to create an evidence based ad campaign that will not only promote the goals of the commission, but will promote the commission itself.

- g) Dr. Balsamo and Ms. Rupert introduced an additional item for discussion, the creation of a continuing education program for law enforcement and animal control personnel. It was pointed out that much expertise exists presently on the commission to carry out a one-day seminar covering subjects such as animal cruelty (Joelle Rupert and Pinckney Wood), rabies control (Dr. Balsamo), animal control (Hilton Cole), veterinary medicine (Drs. Melius and Dupont), etc. Mr. Wood and Dr. Balsamo added that many other experts could be available, such as retired Judge Sol Gothard and Dr. Wendy Wolfson, the director of the Shelter Improvement Program at the LSU Veterinary School. Since rabies would be included, the Infectious Disease Epidemiology Section at OPH would be able to provide help in creation of materials for the seminar.

Mr. Wood reminded the commission that the money exists presently to author a handbook for animal control personnel that could be used as a guide for such a seminar. The booklet could be developed and used in animal control shelters for training. The handbook could include items from other organizations, such as American Animal Control Association Standards. Dr. Balsamo volunteered to coordinate creation of the handbook.

Ms. Oliphant Wood suggested that the commission prepare posters and make the posters available on the website for download. This would permit the commission to create useful posters and yet avoid excessive printing costs.

Dr. Balsamo offered to send monthly reminders to the commission membership informing everyone of the progress of the action steps to the aforementioned commission goals. One of the reminders will be for ideas for the newsletter.

- h) Dr. Melius suggested that the commission add as a goal the outlawing of puppy mills in Louisiana. Dr. Balsamo suggested that breeders self-regulate, form an organization and collect membership fees that could be used for self regulation. The commission would be in a position to assist, using the breeder generated funding. Ms. Oliphant-Wood cautioned the membership that the commission should tread carefully and not unintentionally provide onerous restrictions on legitimate breeders. Dr. Melius suggested that Mr. Wood add restrictions on breeding to his work on creating a model animal cruelty law.

VI. Adjournment

Ms. Schneider moved that the meeting be adjourned, seconded by Ms. George. After a vote by the Commission the meeting was adjourned at noon.

Minutes submitted by: Gary Balsamo

Minutes are to be approved at the ensuing Commission meeting.